



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	HB0479	Title:	Clarify and specify role of Home Guard
Primary Sponsor:	Boniek, Joel	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:				
General Fund	\$83,705*	\$81,205*	\$83,235*	\$85,316*
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	\$83,705*	\$81,205*	\$83,235*	\$85,316*

Description of fiscal impact:

Costs associated with HB 479 are associated with hiring personnel to manage the commissioning, rulemaking, and certification duties required by the bill.

*The full fiscal impact of HB 479 can not be determined at this time. HB 479 provides for incidental expenses for a company that is activated by the Governor or a county sheriff. The state may have to pay claims to Home Guard members for personal equipment that is lost, damaged, consumed or destroyed as part of active duty. A reasonable estimate of how many companies would apply for certification or how many volunteers each company might have cannot be made. Disasters and emergencies that could potentially require the use of the Home Guard at the state or county level are not predictable and therefore are not quantifiable.

FISCAL ANALYSIS

Assumptions:

Governors Office

1. The additional duties for the Governor's Office under this bill will require 1.00 professional-level FTE to properly manage the commissioning, rulemaking, and certification responsibilities required by this legislation. Associated operating costs include a new employee package and a new computer in FY 2010.
2. 2.5% inflation factor is applied to FY 2012 and FY 2013 costs.

Department of Military Affairs

3. Section 30 of HB 479 indicates that the Governor can allow the home guard use of armories and equipment. The Governor has the authority to allow the use of state owned facilities and equipment, but appropriate costs should be captured and are undeterminable at this time. If the Governor is responsible for the approval of the company charter, it is presumably a responsibility of the state to ensure that realistic missions are assigned, and training accomplished to standards.
4. The Home Guard will be covered by worker's compensation when activated. Activation may be caused by the call of the Governor, or a county sheriff. When the MT National Guard activates a soldier for state active duty, there is a cost to the department to pay worker's compensation for their coverage; it is assumed there would be a similar cost to the state for the Home Guard.
5. Section 32 indemnifies members of the Home Guard from liability in the performance of assigned duties. The State of Montana would have potential liability for the injuries and property damage that are caused by members of a Home Guard. Therefore, there would be a cost, borne by the state, associated with Home Guard training and activation. The MT National Guard is barred from spending federal funds on state activities; consequently training provided by the National Guard would have to be in a State Active Duty status. There could be additional costs associated, for other entities to provide training, such as the cost of an instructor and materials to attain "Red Card" fire status (standards of survival training) before an individual can support wildfire operations.

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<u>Fiscal Impact:</u>				
FTE	1.00	1.00	1.00	1.00
<u>Expenditures:</u>				
Personal Services	\$79,605	\$79,605	\$81,595	\$83,635
Operating Expenses	\$4,100	\$1,600	\$1,640	\$1,681
TOTAL Expenditures	\$83,705	\$81,205	\$83,235	\$85,316
<u>Funding of Expenditures:</u>				
General Fund (01)	\$83,705	\$81,205	\$83,235	\$85,316
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$83,705)	(\$81,205)	(\$83,235)	(\$85,316)

Effect on County or Other Local Revenues or Expenditures:

1. HB 479 provides for incidental expenses for a company that is activated by a county sheriff. A county may have to pay claims to Home Guard members for personal equipment that is lost, damaged, consumed, or destroyed as part of active duty. A reasonable estimate of how many companies would apply for certification or how many volunteers each company might have cannot be made. Disasters and emergencies that could potentially require the use of the home guard at the county level are not predictable and therefore are not quantifiable.

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date